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PATENT

Attorney Reference Number 4239-56113
Application Number 09/676,718

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Gladyshev et al.

Art Unit: 1642

Application No. 09/676,718

Filed: September 28, 2000

For: MAMMALIAN SELENOPROTEIN
DIFFERENTIALLY EXPRESSED IN TUMOR
CELLS

Examiner: Stephen L. Rawlings, Ph.D.

Date: September 3, 2002

CERTIFICATE OF FACSIMILEI hereby certify that this paper and the documents
referred to as being attached or enclosed herewith are
being faxed on September 3, 2002 to 703-308-4315.

Agent for Applicant

BOX NON-FEE AMENDMENT
COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231**AMENDMENT AND RESPONSE TO RESTRICTION REQUIREMENT**

This Amendment is in response to the Restriction requirement dated August 7, 2002. A one-month period for response was set, making a reply due by September 7, 2002.

Applicants provisionally elect group XLV (claims 51-53), with traverse.

Please amend the claims as follows.

Please cancel claims 1-26, 29-34, 36-50, 54, 56-59, 61-62 and 65, without prejudice to prosecution in a future application.

51. (Amended) A method of determining if a subject has an increased risk of developing a cancer, comprising determining if a cell of the subject has a reduced expression of a mammalian 15 kDa selenoprotein having at least 70% sequence identity to SEQ ID NO: 1 or 4 when compared to expression of the 15 kDa selenoprotein in a control cell.

52. (Amended) The method of claim 51, wherein determining the reduced expression of the mammalian 15 kDa selenoprotein comprises determining whether the expression of the